



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#9  
DP  
11-26-03

In re Application of:

Date: November 14, 2003

DAVID KARL BIDNER and  
GOPICHANDRA SURNILLA

Group Art Unit: 3747

Serial No. : 10/064,016

Filed : June 4, 2002

For : METHOD FOR CONTROLLING AN ENGINE TO  
OBTAIN RAPID CATALYST HEATING

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

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**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98**

Applicants are submitting this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the Patent Office the patents, publications, applications, and/or other references listed on the enclosed, completed PTO-1449 form(s). The filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicants respectfully request that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

## CONTENT OF DISCLOSURE

This Information Disclosure Statement includes (1) two pages of PTO-1449 forms, and (2) a legible copy of each reference listed on the form(s).

Applicants would also like to make the Examiner aware of Rejections in the applications identified in the Supplemental Information Disclosure Statement filed November 22, 2002. These include: (1) US Patent 4,467,602 under 35 U.S.C. § 102 and 35 U.S.C. § 103 in 10/064,019; (2) US Patent 5,979,413 under 35 U.S.C. § 102 and 35 U.S.C. § 103 in 10/064,019; and (3) US Patent 6,382,193 under 35 U.S.C. § 103 in 10/064,013. Applicants assume the Examiner can access these documents if desired. However, Applicants can also provide copies if this would be helpful to the Examiner.

## FOREIGN-LANGUAGE REFERENCES

A concise explanation of the relevance of each listed reference not in the English language follows:

German Patent No. 10107158 A1: The corresponding US application (US Patent No. 6,408,618) shows: A controller for a cylinder cut-off type internal combustion engine is provided for ensuring an activated state of catalysts in cylinders, which are stopped during a partial cylinder operation, at all times to maintain favorable emission characteristics upon switching from the partial cylinder operation to a full cylinder operation, and for maintaining a satisfactory fuel consumption rate by conducting the partial cylinder operation to the utmost. The cylinder cut-off type internal combustion

engine can be switched between the partial cylinder operation and the full cylinder operation. Exhaust gas from cylinders in a left bank is purified by two catalyst units in exhaust pipes independent of each other. The controller estimates an estimated catalyst temperature of the catalyst for the right bank, and disables the partial cylinder operation when the estimated catalyst temperature is below a predetermined temperature.

### **TIMING OF DISCLOSURE / FEE INFORMATION**

This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, either (1) before the mailing of a first Office action on the merits, or (2) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. Therefore, in accordance with 37 C.F.R. § 1.97(b), no fee or statement under 37 C.F.R. § 1.97(e) is required.

Please contact the undersigned with any questions or comments regarding this  
Information Disclosure Statement.

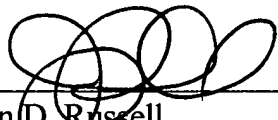
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on November 14, 2003.

  
Erin Filsinger

Respectfully submitted,

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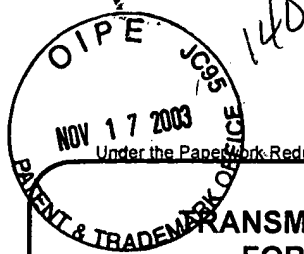
3747

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM  (to be used for all correspondence after initial filing)	Application Number	10/064,016
	Filing Date	June 4, 2002
	First Named Inventor	Gopichandra Surnilla
	Art Unit	3747
	Examiner Name	Unknown
Total Number of Pages in This Submission	Attorney Docket Number	202-0407 (FGT 394)

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): -Form PTO 1449 -References
Remarks <div style="text-align: right; font-size: 1.5em; font-weight: bold;">           RECEIVED            NOV 24 2003            Group 3700         </div>		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	John D. Russell, Reg. No. 47,048; Pierre C. Van Rysselberghe, Reg. No. 33,557	
Signature		
Date	November 14, 2003	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Erin Filsinger		
Signature		Date	November 14, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



FORM PTO-1449		DOCKET NUMBER FGT 394 (202-0407)		APPLICATION NUMBER 10/064,016			
INFORMATION DISCLOSURE CITATION IN AN APPLICATION		APPLICANTS David Karl Bidner and Gopichandra Surnilla					
		FILING DATE June 4, 2002		GROUP ART UNIT 3747			
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.	
	4,134,261	01-16-1979	Iizuka et al.				
	4,207,855	06-1980	Phillips				
	4,467,602	08-28-1984	Iizuka et al.				
	4,860,716	08-1989	Deutschmann				
	5,496,228	03-05-1996	Takata et al.				
	5,778,666	07-1998	Cullen et al.				
	5,930,992	08-1999	Esch et al.				
	5,950,603	09-1999	Cook et al.				
	6,014,963	01-2000	Narita				
	6,158,218	12-2000	Herold et al.				
	6,161,531	12-2000	Hamburg et al.				
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO	
	10107158 A1	08-2001	DE				X
OTHER DOCUMENTS							
EXAMINER			DATE CONSIDERED				

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SHEET 2 OF 2

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			FILING DATE June 4, 2002		GROUP ART UNIT 3747	
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	6,247,445	06-2001	Langer			
	2001/0011540	08-2001	Mashiki			
	6,349,710 B1	02-2002	Kawai et al.			
	6,367,443	04-2002	Bassi et al.			
	6,382,193	05-2002	Boyer et al.			
	6,389,806	05-2002	Glugla et al.			
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	6,415,601	07-2002	Glugla et al.			
	6,513,509 B1	02-2003	Matsumoto			
	6,546,910	04-2003	Tanaka et al.			
	6,568,177 B1	05-2003	Surnilla			
	6,619,241 B2	09-2003	Otterspeer et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
OTHER DOCUMENTS						
EXAMINER			DATE CONSIDERED			

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